

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON APPROPRIATIONS**

**Call to Order:** Chair Nancy Ballance, on February 25, 2015 at 7:00 A.M., in Room 102 Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Nancy Ballance, Chair (R)  
Rep. Pat Noonan, Vice Chair (D)  
Rep. Ryan Osmundson, Vice Chair (R)  
Rep. Randy Brodehl (R)  
Rep. Tom Burnett (R)  
Rep. Mike Cuffe (R)  
Rep. Kimberly Dudik (D)  
Rep. Ron Ehli (R)  
Rep. Janet Ellis (D)  
Rep. Carl Glimm (R)  
Rep. Dave Hagstrom (R)  
Rep. Roy Hollandsworth (R)  
Rep. Kenneth Holmlund (R)  
Rep. Donald W. Jones (R)  
Rep. Kelly McCarthy (D)  
Rep. Robert (Bob) Mehlhoff (D)  
Rep. Rae Peppers (D)  
Rep. Brad Tschida (R)  
Rep. Tom Woods (D)

**Members Excused:** Rep. Mitch Tropila (D)

**Members Absent:** None

**Staff Present:** Katya Grover, Committee Secretary  
Julie Johnson, Legislative Branch  
Joe Triem, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 451, 2/24/2015; HB 472, 2/24/2015  
Executive Action: HB 451; HB 472; HB 474

00:00:01 Chair Ballance  
00:01:41 Rep. Mehlhoff

### **HEARING ON HB 451**

#### **Opening Statement by Sponsor:**

00:02:10 Rep. Christopher Pope (D), HD 65, opened the hearing on HB 451, Revise funding for students with disabilities.

00:05:05 Rep. Tropila arrived.  
00:08:50 Chair Ballance

#### **Proponents' Testimony:** None

#### **Opponents' Testimony:**

00:09:14 Rep. Hertz, HD 12

#### **Informational Testimony:**

00:10:37 Frank Podobnik, Director of Special Education, Office of Public Instruction (OPI)  
00:12:27 Chair Ballance

#### **Questions from Committee Members and Responses:**

00:12:39 Rep. Holmlund  
00:13:46 Frank Podobnik, OPI  
00:14:21 Rep. Holmlund  
00:14:30 Frank Podobnik, OPI  
00:15:05 Rep. Holmlund  
00:15:37 Frank Podobnik, OPI  
00:15:47 Rep. Glimm  
00:16:08 Frank Podobnik, OPI  
00:16:49 Rep. Glimm  
00:16:55 Frank Podobnik, OPI  
00:17:01 Rep. Glimm  
00:17:03 Frank Podobnik, OPI  
00:17:12 Rep. Glimm  
00:17:25 Frank Podobnik, OPI  
00:17:39 Rep. Glimm  
00:18:04 Frank Podobnik, OPI  
00:18:33 Rep. Cuffe  
00:19:34 Frank Podobnik, OPI  
00:20:11 Rep. Noonan  
00:21:05 Frank Podobnik, OPI  
00:22:09 Rep. McCarthy  
00:22:31 Frank Podobnik, OPI  
00:23:06 Rep. McCarthy  
00:23:14 Frank Podobnik, OPI  
00:23:21 Rep. McCarthy  
00:23:30 Frank Podobnik, OPI

00:23:49 Rep. McCarthy  
00:23:52 Frank Podobnik, OPI  
00:23:57 Rep. McCarthy  
00:24:10 Frank Podobnik, OPI  
00:24:45 Rep. Brodehl  
00:25:38 Frank Podobnik, OPI  
00:25:58 Rep. Brodehl  
00:26:20 Frank Podobnik, OPI  
00:26:26 Rep. Brodehl  
00:26:34 Frank Podobnik, OPI  
00:27:09 Rep. Brodehl  
00:27:18 Frank Podobnik, OPI  
00:27:23 Rep. Brodehl  
00:27:32 Frank Podobnik, OPI  
00:27:36 Rep. Dudik  
00:28:05 Frank Podobnik, OPI  
00:28:59 Rep. Dudik  
00:29:06 Frank Podobnik, OPI  
00:29:10 Rep. Dudik  
00:29:18 Frank Podobnik, OPI  
00:29:41 Rep. Dudik  
00:29:47 Frank Podobnik, OPI  
00:30:05 Rep. Dudik  
00:30:10 Rep. Woods  
00:30:24 Frank Podobnik, OPI  
00:30:27 Rep. Woods  
00:30:36 Frank Podobnik, OPI  
00:31:01 Rep. Mehlhoff  
00:32:04 Frank Podobnik, OPI  
00:32:40 Rep. Mehlhoff  
00:33:03 Frank Podobnik, OPI  
00:33:08 Rep. Mehlhoff  
00:33:22 Frank Podobnik, OPI  
00:33:27 Rep. Mehlhoff  
00:34:41 Madalyn Quinlan, Chief of Staff, Office of Public Instruction (OPI)  
00:35:42 Rep. Jones  
00:36:19 Frank Podobnik, OPI  
00:37:28 Rep. Pope  
00:39:23 Chair Ballance  
00:39:29 Rep. Pope  
00:39:52 Rep. Jones  
00:40:42 Rep. Pope  
00:41:00 Frank Podobnik, OPI  
00:41:53 Rep. Jones  
00:42:05 Frank Podobnik, OPI  
00:42:25 Rep. Jones  
00:42:30 Chair Ballance  
00:42:57 Frank Podobnik, OPI  
00:42:59 Chair Ballance  
00:43:08 Frank Podobnik, OPI

00:43:20 Chair Ballance  
 00:43:28 Frank Podobnik, OPI  
 00:43:31 Chair Ballance  
 00:43:40 Frank Podobnik, OPI  
 00:43:48 Rep. Holmlund  
 00:44:15 Frank Podobnik, OPI  
 00:44:26 Rep. Holmlund  
 00:44:53 Chair Ballance  
 00:44:57 Rep. Holmlund  
 00:45:16 Frank Podobnik, OPI  
 00:45:31 Rep. Holmlund  
 00:45:57 Frank Podobnik, OPI  
 00:46:13 Rep. Holmlund  
 00:46:46 Frank Podobnik, OPI  
 00:47:28 Rep. Tschida  
 00:47:51 Frank Podobnik, OPI  
 00:48:27 Rep. Tschida  
 00:48:47 Frank Podobnik, OPI  
 00:49:12 Rep. Tschida  
 00:49:25 Frank Podobnik, OPI  
 00:49:31 Rep. Tschida  
 00:49:51 Frank Podobnik, OPI  
 00:50:02 Rep. Tschida  
 00:50:11 Frank Podobnik, OPI  
 00:50:16 Rep. Peppers  
 00:50:44 Frank Podobnik, OPI  
 00:51:04 Chair Ballance

**Closing by Sponsor:**

00:51:17 Rep. Pope

00:56:55 Rep. McCarthy

00:57:40 Chair Ballance

**HEARING ON HB 472**

**Opening Statement by Sponsor:**

00:58:30 Rep. Tom Jacobson (D), HD 21, opened the hearing on HB 472, Reauthorize the child and family ombudsman.

**Proponents' Testimony:**

01:01:41 Jon Bennion, Deputy Attorney General, Department of Justice (DOJ)

[\*\*EXHIBIT\(aph43a01\)\*\*](#)

01:03:09 Chair Ballance

01:03:25 Jon Bennion, DOJ

**Opponents' Testimony:**

01:04:20 Sarah Corbally, Administrator, Department of Public Health And Human Services (DPHHS), Child and Family Services Division (CFSD)

**Informational Testimony:** None**Questions from Committee Members and Responses:**

01:05:13 Rep. Brodehl  
01:06:00 Jon Bennion, DOJ  
01:06:40 Rep. Brodehl  
01:06:48 Jon Bennion, DOJ  
01:07:21 Rep. Dudik  
01:08:22 Jon Bennion, DOJ  
01:09:27 Rep. Tropila  
01:10:03 Sarah Corbally, DPHHS, CFSD  
01:10:41 Rep. Tropila  
01:11:02 Sarah Corbally, DPHHS, CFSD  
01:11:08 Rep. Tropila  
01:12:28 Chair Ballance  
01:12:55 Rep. Tropila  
01:13:00 Rep. Mehlhoff  
01:13:21 Chair Ballance  
01:14:04 Rep. Mehlhoff  
01:14:30 Chair Ballance  
01:14:41 Rep. Mehlhoff  
01:15:17 Sarah Corbally, DPHHS, CFSD  
01:15:28 Rep. Mehlhoff  
01:15:49 Sarah Corbally, DPHHS, CFSD  
01:15:57 Jon Bennion, DOJ  
01:16:45 Rep. Mehlhoff  
01:16:51 Rep. Ehli  
01:17:25 Sarah Corbally, DPHHS, CFSD  
01:17:31 Rep. Ehli  
01:18:30 Sarah Corbally, DPHHS, CFSD  
01:19:10 Rep. Ellis  
01:20:13 Rep. Jacobson  
01:22:37 Rep. Cuffe  
01:23:03 Rep. Brodehl  
01:23:20 Chair Ballance  
01:23:26 Rep. McCarthy  
01:23:39 Chair Ballance

**Closing by Sponsor:**

01:24:02 Rep. Jacobson

01:25:29 Recess

01:36:48 Reconvened

**EXECUTIVE ACTION ON HB 451**

01:36:55 **Motion:** Rep. Osmundson moved that **HB 451 DO PASS.**

01:37:05 **Motion/Vote:** Rep. Brodehl moved that **HB 451 BE TABLED.** Motion carried 11-9 by roll call vote with Rep. Cuffe, Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

**EXECUTIVE ACTION ON HB 472**

01:38:39 **Motion:** Rep. Osmundson moved that **HB 472 DO PASS.**

**Discussion:**

01:38:48 Rep. Tropila

01:40:02 **Motion/Vote:** Rep. Brodehl moved that **HB 472 BE TABLED.** Motion carried 12-8 by roll call vote with Rep. Dudik, Rep. Ellis, Rep. McCarthy, Rep. Mehlhoff, Rep. Noonan, Rep. Peppers, Rep. Tropila and Rep. Woods voting no.

**EXECUTIVE ACTION ON HB 474**

01:41:27 **Motion:** Rep. Dudik moved that **HB 474 BE REMOVED FROM TABLE.**

**Discussion:**

01:42:28 Chair Ballance

01:42:38 Rep. Brodehl

01:42:49 Rep. Dudik

01:43:08 Rep. Brodehl

01:43:19 Rep. Dudik

01:43:24 Rep. Ellis

01:43:38 Chair Ballance

01:43:49 **Vote:** Motion carried unanimously by voice vote.

01:44:11 **Motion:** Rep. Osmundson moved that **HB 474 DO PASS.**

01:44:24 **Motion:** Rep. Dudik moved that **HB 474 BE AMENDED.**

[EXHIBIT\(aph43a02\)](#)

**Discussion:**

01:44:55 Rep. Osmundson

01:45:01 Rep. Dudik

01:45:15 Julie Johnson, Legislative Services Division (LSD)

01:45:45 **Vote:** Motion carried unanimously by voice vote.

01:46:21 **Motion:** Rep. Osmundson moved that **HB 474 DO PASS AS AMENDED.**

**Discussion:**

01:46:28 Rep. McCarthy  
01:46:44 Julie Johnson, LSD  
01:46:52 Rep. McCarthy  
01:46:58 Chair Ballance

01:47:16 **Motion:** Rep. McCarthy moved that **HB 474 BE AMENDED.**

**Discussion:**

01:47:46 Chair Ballance  
01:47:50 Rep. Noonan  
01:47:57 Rep. McCarthy  
01:48:09 Chair Ballance  
01:48:18 Rep. Mehlhoff  
01:48:41 Chair Ballance  
01:48:51 Rep. Mehlhoff

01:48:56 Without objection, Rep. McCarthy withdrew the **BE AMENDED** motion.

01:49:08 **Motion/Vote:** Rep. Osmundson moved that **HB 474 DO PASS AS AMENDED.**  
Motion carried unanimously by voice vote.

01:49:30 Rep. Cuffe  
01:49:37 Chair Ballance

**ADJOURNMENT**

01:49:56      Adjournment

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Katya Grover, Secretary

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Additional Documents:

**EXHIBIT**([aph43aad.pdf](#))